

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

INFORMATION SYSTEMS AUDIT AND CONTROL ASSOCIATION, INC., a Not-For- Profit California corporation Plaintiff, vs. JEFF DUCHARME, an individual And ILLUMINOSITY LLC, a Washington Limited Liability Company Defendants.	}	Case No.: COMPLAINT FOR CYBERSQUATTING, TRADEMARK INFRINGEMENT, FALSE DESIGNATION OF ORIGIN, DILUTION, UNFAIR COMPETITION, AND UNFAIR TRADE PRACTICES FILED: APRIL 1, 2008 08CV1878 PH JUDGE LINDBERG MAGISTRATE JUDGE NOLAN
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Information Systems Audit and Control Association, Inc. (hereinafter "ISACA" or "Plaintiff") for its complaint against Jeff Ducharme and Illuminosity LLC (hereinafter "Ducharme" and "Illuminosity" or "Defendants"), alleges as follows:

JURISDICTION AND VENUE

1. This is an action for cybersquatting under 15 U.S.C. § 1125(d); for trademark infringement under 15 U.S.C § 1114(1); for false designation of origin under 15 U.S.C § 1125(a); for dilution under 15 U.S.C. § 1125(c); for state trademark infringement under 765 ILCS 1036/1 et seq.; for violation of the Illinois Consumer Fraud and Deceptive Business Practices Act, 815 ILCS 505/1-12; for state trademark dilution under 765 ILCS 1036/65; and for trademark infringement and unfair competition under the Illinois common law.

2. This Court has subject matter jurisdiction over the federal claims pursuant to 28 U.S.C. §§ 1331, 1338(a) and 15 U.S.C. § 1121, and has subject matter jurisdiction over the state law claims under 28 U.S.C. §§ 1338(b) and 1332, and since these claims are joined with substantial and related claims under the Trademark Laws of the United States.

3. Venue properly lies within the Northern District of Illinois pursuant to 28 U.S.C. § 1391(a), (b) and (c) as based upon information and belief, these causes of action arise as a result of the Defendants' doing and transacting business in this district, or offering to sell its products or making its products available or by promoting the infringing mark to prospective purchasers within this district, and marketing its products to prospective purchasers within this District.

FACTS AND BACKGROUND

Parties and Personal Jurisdiction

4. The Plaintiff, ISACA, is a not-for-profit corporation organized under the laws of the State of California, with its principal place of business located at 3701 Algonquin Road, Suite 1010, Rolling Meadows, IL 60008.

5. Defendant Ducharme, on information and belief, is an individual operating a business from 7512 Huckleberry Way SE, Snoquamie, WA 95065. Defendant Illuminosity, on information and belief, is a limited liability company organized under the laws of the State of Washington, with its principal place of business located at 7512 Huckleberry Way SE, Snoquamie, WA 95065. This Court has personal jurisdiction over Defendants because, on information and belief, Defendants conduct substantial business within this District related to the unlawful activities in this Complaint. The harm suffered by Plaintiff flows directly from the business conducted by Defendants within this District.

ISACA'S Business and ISACA Trademark

6. Plaintiff got its start in 1967, when a small group of individuals with similar jobs—auditing controls in the computer systems that were becoming increasingly critical to the operations of their organizations—sat down to discuss the need for a centralized source of information and guidance in the field. In 1969, the group formalized, incorporating as the EDP Auditors Association. In 1976, the association formed the IT Governance Institute (ITGI) as an

education foundation to undertake large-scale research efforts to expand the knowledge and value of the IT governance, security and assurance fields. Today, ISACA has more than 170 chapters established in over 70 countries, with more than 82,000 members that live and work in more than 140 countries. Since its inception, ISACA has become a pace-setting global organization for information technology governance, control, security and audit professionals. Its IS Standards, Guidelines and Procedures for Auditing and Control Professionals, are followed by practitioners worldwide.

8. Plaintiff has adopted several trademarks in association with the sale and marketing of its IS auditing and IS control products and services in order to identify its products and services to the public including the trademark ISACA, which is well known by members of the public as identifying Plaintiff and Plaintiff's certification, training and educational services, and journal and newsletter products.

9. Plaintiff has registered in the United States Patent and Trademark Office the mark ISACA as shown in Registration No. 2453058 issued on May 22, 2001 and as shown in Registration No. 2433625, issued on March 6, 2001. These registrations issued upon the Principal Trademark Register and are in full force and effect. Section 8 & 15 Declarations were approved for these registrations and they have achieved "incontestable" registration status. An extract of these registrations from the United States Patent and Trademark Office database is attached hereto and made a part hereof as Exhibits 1 and 2, respectively.

10. Plaintiff's advertising and extensive sales throughout the United States for almost twenty years have created a substantial amount of goodwill in Plaintiff's trademark and has created an excellent reputation for Plaintiff under the ISACA trademark.

11. Plaintiff's ISACA mark is a famous mark.

**Defendants' Registration and use of Internet Domain Names that are Confusingly Similar
to Plaintiff's Famous or Distinctive Trademark**

12. Plaintiff, on information and belief, alleges that Defendants registered the ISACA.COM domain name some time between October 10, 2007 and February 28, 2008. This domain name is identical to Plaintiff's famous trademark. A copy of the domain name registration information as of October 10, 2007 and February 28, 2008 respectively is attached hereto and made a part hereof as Exhibits 3 and 4, respectively.

13. Plaintiff, on information and belief, alleges that Defendants were aware of Plaintiff, and its use of the ISACA mark in connection with the sale of Plaintiff's IS auditing and IS control products and services when they registered the ISACA.COM domain.

14. Plaintiff, on information and belief, alleges that at some time after registration, Defendants posted a website on the ISACA.COM domain name featuring Plaintiff's ISACA mark and consisting primarily of advertising links which link to websites offering products and services in direct competition with Plaintiff. On information and belief, Defendants generate revenue every time one of the advertising links is clicked by a visitor to the website posted at ISACA.COM. A printed screenshot of this website is attached hereto and made a part hereof as Exhibit 5.

15. Plaintiff, on information and belief, alleges that Defendants have also used Plaintiff's valuable ISACA trademark in the title of Defendants' website posted at <http://www.isaca.com>, so that internet users who type ISACA into a search engine query will be directed to the Defendants' website instead of Plaintiff's website. A printout of the source code for Defendants' website is attached hereto and made a part hereof as Exhibit 6.

16. Plaintiff, on information and belief, alleges that on February 26, 2008, Defendants, through their agent sent at least 10 emails to various employees of Plaintiff stating that Defendant had acquired the ISACA.COM domain name and would sell it to Plaintiff for

\$6500. The email further indicated that if Plaintiff did not purchase the ISACA.COM domain name the same day, that it could be purchased by a third party and never be available again to Plaintiff. A copy of the email is attached hereto and made a part hereof as Exhibit 7.

FIRST CAUSE OF ACTION

Cybersquatting on the ISACA Mark Under 15 U.S.C. § 1125(d)

17. Plaintiff realleges and incorporates by reference Paragraphs 1 through 16 as though fully set forth here.

18. Defendants registered the domain name ISACA.COM.

19. Defendants used the domain name ISACA.COM.

20. Plaintiff's ISACA trademark is, and was distinctive at the time Defendants registered the domain name ISACA.COM

21. Plaintiff's ISACA trademark is, and was distinctive at the time Defendants used the domain name ISACA.COM

22. Plaintiff's ISACA trademark is, and was famous at the time Defendants registered the domain name ISACA.COM.

23. Plaintiff's ISACA trademark is, and was famous at the time Defendants used the domain name ISACA.COM.

24. The ISACA.COM domain name is identical to Plaintiff's famous and distinctive ISACA trademark.

25. On information and belief, Defendants registered or used the domain name ISACA.COM with the bad faith intent to profit from the ISACA trademark.

26. On information and belief, Defendants were aware of Plaintiff's famous and distinctive ISACA mark when they registered and used the domain name ISACA.COM.

27. On information and belief, Defendants knew, or should have known, that they were not authorized to use Plaintiff's ISACA trademark without the authorization of Plaintiff when Defendants registered and used the domain name ISACA.COM.

28. Plaintiff has not authorized Defendants to use the ISACA mark.

29. Defendants do not have any intellectual property rights or any property rights at all, in the ISACA mark.

30. ISACA.COM does not consist of the legal name of Defendants, or a name that is otherwise commonly used to identify Defendants.

31. On information and belief, Defendants registered and used the ISACA.COM domain name to divert consumers searching for Plaintiff's website to Defendants' website for its commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the site and/or to offer to transfer, sell, or otherwise assign the domain name to the mark owner or any third party for financial gain.

32. On information and belief, Defendants have not used and do not intend to use the domain name in the bona fide offering of any goods or services.

33. On information and belief, Defendants' registration and use of ISACA.COM constitutes cybersquatting in violation of 15 U.S.C. Section 1125(d), entitling Plaintiff to relief.

34. By reason of Defendants' acts alleged herein, Plaintiff's remedy at law is not adequate to compensate it for the injuries inflicted by Defendants. Accordingly, Plaintiff is entitled to preliminary and permanent injunctive relief pursuant to 15 U.S.C. § 1116.

35. Plaintiff, on information and belief, alleges that Defendants' acts are willful and malicious, and intended to injure and cause harm to Plaintiff.

36. By reason of Defendants' acts alleged herein, Plaintiff is entitled to recover Defendants' profits, actual damages and the costs of the action, or statutory damages under 15 U.S.C. § 1117(d), on election by Plaintiff, in an amount of \$100,000 per domain name.

37. This is an exceptional case making Plaintiff eligible for an award of attorneys' fees under 15 U.S.C. § 1117.

SECOND CAUSE OF ACTION

Trademark Infringement of the ISACA Mark Under 15 U.S.C. § 1114(1)

38. Plaintiff realleges and incorporates by reference each of the allegations contained in Paragraphs 1 through 37 of this Complaint as though fully set forth here.

39. Defendants' use in commerce of the ISACA mark and the domain name ISACA.COM is likely to cause confusion, or to cause mistake, or to deceive the relevant public that the ISACA.COM domain name and website displayed at the ISACA.COM domain name is sponsored by, authorized by, or are affiliated with Plaintiff.

40. Defendants' use of the ISACA mark in the ISACA.COM domain name and the title of its website are likely to cause initial interest confusion among the relevant public.

41. The above-described acts of Defendants constitute trademark infringement in violation of 15 U.S.C. § 1114(1), entitling Plaintiff to relief.

42. On information and belief, Defendants have unfairly profited from the infringing actions alleged.

43. By reason of Defendants' acts alleged herein Plaintiff's remedy at law is not adequate to compensate it for the injuries inflicted by Defendants. Accordingly, Plaintiff is entitled to preliminary and permanent injunctive relief pursuant to 15 U.S.C. § 1116.

44. By reason of Defendants' acts alleged herein, Plaintiff is entitled to recover Defendants' profits, actual damages and the costs of the action under 15 U.S.C. 1117(a).

45. By reason of Defendants' willful acts conducted in conscious disregard for Plaintiff's rights, Plaintiff is entitled to damages, and that those damages be trebled under 15 U.S.C. § 1117.

46. This is an exceptional case making Plaintiff eligible for an award of attorneys' fees under 15 U.S.C. § 1117.

THIRD CAUSE OF ACTION

False Designation of Origin Under 15 U.S.C. §1125(a)

47. Plaintiff realleges and incorporates by reference each of the allegations contained in Paragraphs 1 through 46 of this Complaint as though fully set forth here.

48. Defendants' use in commerce of the ISACA mark and the ISACA.COM domain name is likely to cause confusion, or to cause mistake, or to deceive the relevant public that the ISACA.COM domain name and website displayed at the ISACA.COM domain name is sponsored by, authorized by, or is affiliated with Plaintiff.

49. Defendants' use of the ISACA mark and the ISACA.COM domain name are likely to cause initial interest confusion among the relevant public.

50. The above-described acts of Defendants constitute trademark infringement in violation of 15 U.S.C. §1125(a), entitling Plaintiff to relief.

51. On information and belief, Defendants have unfairly profited from the actions alleged.

52. By reason of Defendants' acts alleged herein, Plaintiff has suffered irreparable damage to the goodwill associated with the ISACA mark.

53. By reason of Defendants' acts alleged herein, Plaintiff's remedy at law is not adequate to compensate it for the injuries inflicted by Defendants. Accordingly, Plaintiff is entitled to preliminary and permanent injunctive relief pursuant to 15 U.S.C. § 1116.

54. By reason of Defendants' acts alleged herein, Plaintiff is entitled to recover Defendants' profits, actual damages and the costs of the action under 15 U.S.C 1117(a).

55. By reason of Defendants' willful acts conducted in conscious disregard for Plaintiff's rights, Plaintiff is entitled to damages, and that those damages be trebled under 15 U.S.C. § 1117.

56. This is an exceptional case making Plaintiff eligible for an award of attorneys' fees under 15 U.S.C. § 1117.

FOURTH CAUSE OF ACTION

Dilution of the ISACA mark Under 15 U.S.C. § 1125(c)

57. Plaintiff realleges and incorporates by reference each of the allegations contained in Paragraphs 1 through 56 of this Complaint as though fully set forth here.

58. The ISACA mark is a famous mark and was famous before Defendants' commercial use in commerce of the ISACA mark and the ISACA.COM domain name.

59. Defendants' commercial use in commerce of the ISACA mark and the ISACA.COM domain name is likely to cause dilution of the distinctive quality of the ISACA mark.

60. The above-described acts of Defendants constitute trademark dilution in violation 15 U.S.C. § 1125(c), entitling Plaintiff to relief.

61. Defendants have unfairly profited from the actions alleged.

62. By reason of Defendants' acts, Plaintiff has suffered damage to the goodwill associated with the ISACA mark.

63. By reason of Defendants' acts alleged herein, Plaintiff's remedy at law is not adequate to compensate it for the injuries inflicted by Defendants. Accordingly, Plaintiff is entitled to preliminary and permanent injunctive relief pursuant to 15 U.S.C. § 1116.

64. By reason of Defendants' acts alleged herein, Plaintiff is entitled to recover Defendants' profits, actual damages and the costs of the action under 15 U.S.C. 1117(a).

65. By reason of Defendants' willful acts conducted in conscious disregard for Plaintiff's rights, Plaintiff is entitled to damages, and that those damages be trebled under 15 U.S.C. § 1117.

66. This is an exceptional case making Plaintiff eligible for an award of attorneys' fees under 15 U.S.C. § 1117.

FIFTH CAUSE OF ACTION

State Trademark Infringement under 765 ILCS 1036/1 et seq.,

67. Plaintiff realleges and incorporates by reference each of the allegations contained in Paragraphs 1 through 66 of this Complaint as though fully set forth here.

68. Defendants, without the consent of the Plaintiff, registered the ISACA.COM domain name, which is identical to Plaintiff's federally registered ISACA trademark to redirect internet traffic to Defendants' own website where Defendants advertises IS auditing and IS control products and services, which is likely to cause confusion or mistake or to deceive as to the source of origin of such goods or services or the sponsorship of Defendants' business in violation of 765 ILCS 1036/1 et seq.,.

69. On information and belief, Defendants acted with full knowledge and intent that its use of Plaintiff's ISACA mark in the ISACA.COM domain name, which redirects to Defendants' website, and its use of ISACA in the title of its website would cause confusion or mistake with Plaintiff's ISACA mark.

70. Defendants' violation of Illinois law has caused and, if allowed to continue, will continue to cause sales of IS auditing and IS control products and services marketed and sold under the ISACA mark to be lost and/or diverted to others, all to Plaintiff's damage. Further, Defendants' actions have caused substantial and irreparable damage and injury to Plaintiff, for which Plaintiff has no adequate remedy at law because no monetary award can adequately compensate Plaintiff for the damage to its goodwill and business reputation occasioned by

Defendants' acts, and because the continuing damage to Plaintiff from such acts would be difficult to calculate and would lead to a multiplicity of actions.

SIXTH CAUSE OF ACTION

Violation of the Illinois Consumer Fraud and Deceptive Business Practices Act, 815 ILCS 505/1-12

71. Plaintiff realleges and incorporates by reference each of the allegations contained in Paragraphs 1 through 70 of this Complaint as though fully set forth here.

72. Defendants' use of the ISACA mark in the ISACA.COM domain name and in advertising links on the website posted on ISACA.COM constitute unfair competition and unfair or deceptive acts or practices which misled and deceived internet users seeking information about Plaintiff in violation of the Illinois Consumer Fraud and Deceptive Business Practices Act, 815 ILCS 505/1-12.

SEVENTH CAUSE OF ACTION

Violation of the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS 510/1-7

73. Plaintiff realleges and incorporates by reference each of the allegations contained in Paragraphs 1 through 72 of this Complaint as though fully set forth here.

74. Defendants' use of the ISACA mark in the ISACA.COM domain name and in advertising links on the website posted on ISACA.COM causes a likelihood of confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services offered through the Defendant's website in violation of the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS 510/1-7.

SEVENTH CAUSE OF ACTION

Common Law Unfair Competition

75. Plaintiff realleges and incorporates by reference each of the allegations contained in Paragraphs 1 through 74 of this Complaint as though fully set forth here.

76. The aforesaid conduct of Defendants constitutes common law unfair competition.

77. Defendants' aforesaid actions in violation of the common law of unfair competition have caused and, if allowed to continue, will continue to cause sales of IS auditing and IS control products and services marketed and sold under the ISACA mark to be lost and/or diverted to others, all to Plaintiff's damage. Further, Defendants' unfair competition has caused substantial and irreparable damage and injury to Plaintiff.

78. Defendants' aforesaid actions in violation of the common law of unfair competition has caused substantial and irreparable damage and injury to Plaintiff, of which Plaintiff has no adequate remedy at law because no monetary award can adequately compensate Plaintiff for the damage to its goodwill and business reputation occasioned by Defendants' acts, and because the continuing damage to Plaintiff from such acts would be difficult to calculate and would lead to a multiplicity of actions.

EIGHTH CAUSE OF ACTION

Common Law Trademark Infringement

79. Plaintiff realleges and incorporates by reference each of the allegations contained in Paragraphs 1 through 78 of this Complaint as though fully set forth here.

80. The aforesaid conduct of Defendants constitutes common law trademark infringement.

81. Defendants' aforesaid actions in violation of the common law of trademark infringement have caused and, if allowed to continue, will continue to cause sales of Plaintiff's IS auditing and IS control products and services marketed and sold under the ISACA mark to be

lost and/or diverted to others, all to Plaintiff's damage. Further, Defendants' unfair competition has caused substantial and irreparable damage and injury to Plaintiff.

82. Defendants' common law trademark infringement has caused substantial and irreparable damage and injury to Plaintiff, of which Plaintiff has no adequate remedy at law because no monetary award can adequately compensate Plaintiff for the damage to its goodwill and business reputation occasioned by Defendants' acts, and because the continuing damage to Plaintiff from such acts would be difficult to calculate and would lead to a multiplicity of actions.

NINTH CAUSE OF ACTION

State Trademark Dilution under 765 ILCS 1036/65

83. Plaintiff realleges and incorporates by reference each of the allegations contained in Paragraphs 1 through 82 of this Complaint as though fully set forth here.

84. The ISACA mark is a famous mark and was famous before Defendants' commercial use in commerce of the ISACA mark and the ISACA.COM domain name.

85. Defendants' commercial use in commerce of the ISACA mark and the ISACA.COM domain name is likely to cause dilution of the distinctive quality of the ISACA mark.

86. Defendants willfully intended to trade on Plaintiff's reputation by using the ISACA mark in the ISACA.COM domain name and on the website posted on ISACA.COM.

87. The above-described acts of Defendants constitute trademark dilution in violation of 765 ILCS 1036/65, entitling Plaintiff to relief.

88. Defendants have unfairly profited from the actions alleged.

89. By reason of Defendants' acts, Plaintiff has suffered damage to the goodwill associated with the ISACA mark.

90. By reason of Defendants' acts alleged herein, Plaintiff's remedy at law is not adequate to compensate it for the injuries inflicted by Defendants. Accordingly, Plaintiff is entitled to preliminary and permanent injunctive relief pursuant to 765 ILCS 1036/65.

91. By reason of Defendants' acts alleged herein, Plaintiff is entitled to recover Defendants' profits, actual damages and the costs of the action under 765 ILCS 1036/65-70.

92. By reason of Defendants' willful acts conducted in conscious disregard for Plaintiff's rights, Plaintiff is entitled to damages, and that those damages be trebled under 765 ILCS 1036/65-70.

93. On information and belief, Defendant acted with knowledge and in bad faith and this is an exceptional case making Plaintiff eligible for an award of attorneys' fees under 765 ILCS 1036/65-70.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff herein prays:

1. For a judgment declaring that Defendants has infringed the rights of Plaintiff in its ISACA mark in violation of 15 U.S.C. § 1125(d), 15 U.S.C. § 1114(1), 15 U.S.C. § 1125(a), 15 U.S.C. § 1125(c), 765 ILCS 1036/1 et/seq., 815 ILCS 505/1-12, 815 ILCS 510/1-7, 765 ILCS 1036/65, and the Illinois common law.

2. For a preliminary injunction and a permanent injunction enjoining and restraining Defendants and its agents, servants, employees and attorneys, and those persons in active concert or participation with Defendants during the pendency of this action, and thereafter perpetually:

a. from using the ISACA mark or any word, words, symbol, symbols, phrase or term confusingly similar thereto alone or prominently displayed in promotional material, advertisements, web pages, signs, or in any other way in connection with the advertising, distribution, offering for sale or sale of IT governance or educational products or services not emanating from or authorized by Plaintiff;

b. from displaying as part of any domain name, in labels, promotional material, advertisements, signs or in any other way the ISACA mark or any word, words, symbol, symbols, phrase or term confusingly similar thereto in connection IT governance or educational products or services;

c. from cybersquatting on the ISACA mark;

d. from infringing the ISACA mark;

e. from committing any acts of false designation of origin against Plaintiff relating to the unauthorized use of the ISACA mark;

f. from diluting the ISACA mark;

g. from unfairly competing with Plaintiff in any manner whatsoever;

h. from infringing the common law trademark ISACA

3. That Defendants be directed under 15 U.S.C. §1116 to file with the Court and serve upon Plaintiff within thirty (30) days after the issuance of any injunction a report in writing and under oath setting forth in detail the manner and form in which Defendants has complied with the injunction.

4. That Defendants be ordered to pay statutory damages under 15 U.S.C. § 1117(d), on election by Plaintiff, in an amount of \$100,000 per violation.

5. That Defendants be ordered to transfer the ISACA.COM domain name to Plaintiff.

6. That Defendants be ordered to engage in corrective advertising to the extent necessary to correct any consumer confusion or misperceptions resulting from Defendants' unlawful acts complained of above.

7. That Defendants be ordered to account to Plaintiff for, and disgorge, all profits it has derived by reason of the unlawful acts complained of above.

8. That Defendants be ordered to pay compensatory damages.

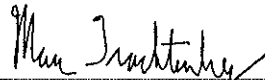
9. That Defendants be ordered to pay Plaintiff's reasonable attorney fees, prejudgment interest, and costs of this action under 15 U.S.C. § 1117.

10. That Plaintiff has such other and further relief as the Court may deem just and the circumstances warrant.

Respectfully submitted,

/s/ Burton S. Ehrlich

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EXHIBIT 1



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Typed Drawing

Word Mark	ISACA
Goods and Services	IC 041. US 100 101 107. G & S: EDUCATIONAL SERVICES; NAMELY, CONDUCTING CONFERENCES, SEMINARS AND WORKSHOPS IN THE FIELDS OF TELECOMMUNICATION, DATA BASE PERFORMANCE EVALUATION, INTERNAL AUDITING AND ELECTRONIC DATA PROCESSING AUDITING TECHNIQUES. FIRST USE: 19940600. FIRST USE IN COMMERCE: 19940600
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76019077
Filing Date	April 6, 2000
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	February 27, 2001
Registration Number	2453058
Registration Date	May 22, 2001
Owner	(REGISTRANT) Information Systems Audit and Control Association NOT-FOR-PROFIT CORPORATION CALIFORNIA 3701 Algonquin Road Rolling Meadows ILLINOIS 60008
Attorney of Record	Frederick W. Meyers
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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EXHIBIT 2



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Typed Drawing

Word Mark	ISACA
Goods and Services	IC 016. US 002 005 022 023 029 037 038 050. G & S: newsletters and journals relating to auditing and data processing. FIRST USE: 19940600. FIRST USE IN COMMERCE: 19940600
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76019076
Filing Date	April 6, 2000
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	December 12, 2000
Registration Number	2433625
Registration Date	March 6, 2001
Owner	(REGISTRANT) Information Systems Audit and Control Association NOT-FOR-PROFIT CORPORATION CALIFORNIA 3701 Algonquin Road Suite 1010 Rolling Meadows ILLINOIS 60008
Attorney of Record	Frederick W. Meyers
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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EXHIBIT 3



Isaca.com on 2007-10-10 - Domain History

Domain: [isaca.com](#) - [Domain History](#)

Cache Date: 2007-10-10

Registrar: NETWORK SOLUTIONS, LLC.

Registrant Search: Click on an email address we found in this whois record to see which other domains the registrant is associated with:
wnickel@sympatico.ca support@igs.net

Registrant:

The Instrument Society of America - Hamilton
2243 Melissa Crescent
Burlington, Ontario L7P 3T4
CA

Domain Name: ISACA.COM

Administrative Contact:

Nickel, Wally wnickel@sympatico.ca
ISA Hamilton Section Inc.
2243 Melissa Crescent
Burlington, Ontario L7P 3T4
CA
905-332-8466 fax: 905-332-4127

Technical Contact:

Abell, John support@igs.net
ISP INFO
74 Gerrard St. E
Suite 300
Toronto, Ontario M5R 1G6
CA
416-593-5578 fax: (905) 637-0140

Record expires on 18-Jan-2008.

Record created on 17-Jan-1997.

Database last updated on 10-Oct-2007 05:55:44 EDT.

Domain servers in listed order:

NS.WORLDCCHAT.COM

NS2.WORLDCCHAT.COM

EXHIBIT 4



Isaca.com on 2008-02-28 - Domain History

Domain: [isaca.com](#) - [Domain History](#)

Cache Date: 2008-02-28

Registrar: NETWORK SOLUTIONS, LLC.

Registrant Search: Click on an email address we found in this whois record to see which other domains the registrant is associated with:
support@illuminosityllc.com

Registrant:

Ducharme, Jeff
Illuminosity LLC
7512 Huckleberry Way SE
Snoqualmie, WA 98065
US

Domain Name: ISACA.COM

Administrative Contact, Technical Contact:

Ducharme, Jeff support@IlluminosityLLC.com
Illuminosity LLC
7512 Huckleberry Way SE
Snoqualmie, WA 98065
US
2066887363 fax: +1.2066887363

Record expires on 18-Jan-2009.

Record created on 17-Jan-1997.

Database last updated on 28-Feb-2008 16:45:03 EST.

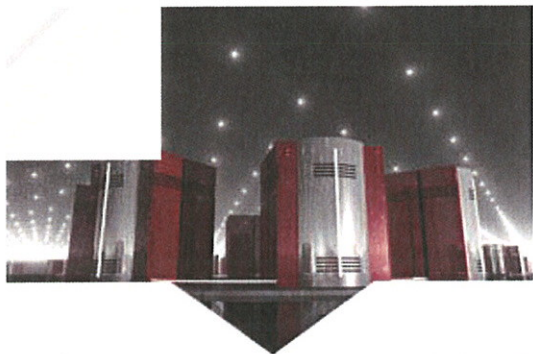
Domain servers in listed order:

NS1.SEDOPARKING.COM

NS2.SEDOPARKING.COM

EXHIBIT 5

isaca.com



SEARCH



RELATED SEARCHES

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<p> Cobit Implementation

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</a>
</div>

</body>
</html>
```

EXHIBIT 7

-----Original Message-----

From: Tom Barba [<mailto:tomcbarba@gmail.com>]
Sent: Tuesday, February 26, 2008 3:27 AM
To: Ron Riba
Subject: ISACA.COM is for sale

Hello,

We acquired the domain isaca.com recently. It is now available at the price of USD 6500.

If you are interested in it, please let us know before 6:00 pm, Tuesday, Feb 26, 2008 EST. After that, this domain may not be available anymore.

About the transition:

The transition of domain and payment can be finished through a trusted third-party escrow service like sedo.com, afternic.com, etc, so you don't have to worry about the trust problems. If you don't get the domain, we will not get paid.

NOTE: If the name is bought by other company or person, it may never be available again.

Best regards,

Tom Barba

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>